

JAN 04 2005

REMARKS

In the Office Action mailed September 7, 2004 claims 1-3, 20 and 22-31 were rejected under 35 USC §102 in view of Ganmukhi (USP 5850399).

The Examiner noted in the Office Action page 3, that the Preliminary Amendment Remarks "argue that in 'the claimed invention the third level sorting occurs without use of direct input from the first level sorting.'" And that "it is noted that the features upon which applicant relies (i.e., the first level sorting and third level sorting) are not recited in the rejected claims."

In this Amendment, Applicant affirmatively recites that the "sorting is performed solely on inputs from the prior level" (see claims 22, 27 and 30).

Ganmukhi describes a system that uses control signals from prior levels to help sort later levels (see Fig. 1, reference number 22). Accordingly, Applicant submits that Ganmukhi does not teach or suggest the presently claimed invention.

Consequently, Applicant requests that the Examiner reconsider and withdraw the rejections.

Applicant thanks the Examiner for the opportunity to discuss the pending claims on December 7, 2004. Applicant submits that the amendments place the claims in condition for allowance since they are neither taught nor suggested by the references.

If any matters can be resolved by telephone, Applicant requests that the Patent and Trademark Office call the Applicant at the telephone number listed below.

Respectfully submitted,

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